

Application Number: 10/597,899  
Amendment Dated: October 7, 2009  
Reply to Office Action: September 30, 2009

### **REMARKS**

This amendment is responsive to the Restriction Requirement mailed September 30, 2009, for which a one (1) month period of response was given. No additional claim fees are believed to be due. The Commissioner is hereby authorized to charge any fees due to Deposit Account No. 50-0959, Attorney Docket No. 089498.0489.

Claims 13 through 31 are pending in the present application upon entry of the above amended claims. Non-elected claims 1 through 12 and 32 through 34 have been cancelled. Applicants reserve the right to file one or more divisional applications directed to the various non-elected Groups of claims at any appropriate time as permitted under the rules set forth in the MPEP. Thus, no new matter has been added. As such, entry and consideration of the amendments to the claims, and the remarks that follow, are believed due and are respectively requested.

#### **I. The Restriction Requirement:**

A restriction requirement has issued against currently pending claims 1 through 34. The following are the groups in the current restriction requirement:

Group I – Claims 1 through 11 (drawn to a medical device);

Group II – Claim 12 (drawn to a method of using by implantation);

Group III – Claims 13 through 31 (drawn to a method of attachment); and

Group IV – Claims 32 through 34 (drawn to a means for mechanically attaching a fibrous coating which involves a free-standing fibrous polymer sheet).

In light of the above, Applicants, through their undersigned attorney, elect Group III (claims 13 through 31), without traverse.

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II. The Election of Species Requirement:

An election of species requirement has issued against currently selected claims 13 through 31 of Group III, with at least independent claims 13 and 22 being generic to all such species. The species are as follows:

Species A – Fibrous coatings formed by electrospinning (claim 18); and  
Species B – Fibrous coatings formed by a nanofiber by gas jet method  
(claim 19).

Given the above Species, Applicants, through their undersigned attorney, elect Species A, **with traverse** (emphasis supplied). Regarding the grounds for traversing the afore-detailed election of Species A, Applicants undersigned attorney would like to point out that in the course of searching the subject matter of currently pending independent claims 13 and 22, the Examiner will by necessity have to search both the subject matter of Species A and B. This is because neither of claims 13 or 22 specifies how the fibrous coating recited therein is produced.

As such, the above election of species is believed to be unfounded and withdrawal thereof, and a full claim search of the subject matter of pending claims 13 through 31, is hereby respectfully requested.

Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

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